

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/11/2022 |
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| BENTHOS MASTER FUND, LTD., | : | |
| | : | |
| Petitioner, | : | 20-CV-3384 (VEC) |
| | : | |
| -against- | : | |
| | : | <u>ORDER</u> |
| AARON ETRA, | : | |
| | : | |
| Respondent. | : | |
| -----X | | |

VALERIE CAPRONI, United States District Judge:

WHEREAS on November 30, 2022, the Court ordered Petitioner to submit three spreadsheets to inform its contempt motion, *see* Dkt. 218; and

WHEREAS on December 9, 2022, Petitioner submitted the requested spreadsheets, *see* Dkt. 243;

IT IS HEREBY ORDERED that not later than **Monday, December 12, 2022 at 11:00 P.M.**, Petitioner must submit a revised version of the first spreadsheet that: (1) breaks out into a separate row each individual item for which production was sought and not obtained that currently appears in the “Description of Item” column¹; (2) where ascertainable, specifies the bank and account number for which records are missing²; (3) includes no argumentation or commentary in the “Description of Item” column; (4) does not include cross-references to other documents in the “Description of Item” column and states any pertinent information concisely;

¹ For example, the first entry should have separate rows for: (1) bank statements since June 30, 2022 for the Piermont 2060 account; (2) bank statements since June 30, 2022 for the M&T 3441 (IOLA) account; and (3) bank statements since June 30, 2022 for the Piermont 2292 (IOLA) account.

² For example, the third entry should have separate rows for each known bank account as to which Petitioner contends that Respondent has not produced bank statements for the last five months of 2017, the eighth entry should have separate rows for each known bank and brokerage account that Respondent has not disclosed, and the final entry should have separate row for each known credit card for which Petitioner contends statements are missing (and the particular statements that are missing, *e.g.*, AmEx account 1234, April 2022, should be in separate rows).

and (5) adds a column reflecting, for each row, what, if anything, Respondent has produced to satisfy the particular document request. To the extent Petitioner believes there are cross-references or other information that would be helpful to the Court, it should enter that information concisely in a fifth column.

SO ORDERED.

Date: December 11, 2022
New York, NY



VALERIE CAPRONI
United States District Judge